

Remarks

Applicants respectfully request reconsideration of the above-identified application. Claims 1-7, 12-13, 16-32, 37-38, 41-46, 48-63, 65-68, 70-73, 78-80, 83-85, 90-92, 97-104, 106-107, and 110 remain in this application. Claims 27-32, 37-38, 41-46, 48-51, 54-55, 70-73, 78-80, 83-85, 90-92, 97-104, and 110 have been allowed.

I. Allowed claims.

Applicants note with appreciation the allowance of claims 27-32, 37-38, 41-46, 48-51, 54-55, 70-73, 78-80, 83-85, 90-92, 97-104, and 110.

II. Indefiniteness

Claims 25-26, 52-53, and 56-68 were rejected under 35 U.S.C. 112, 2nd paragraph as indefinite. Applicants respectfully traverse.

A “claim which makes reference to a preceding claim to define a limitation is an acceptable claim construction.” MPEP § 2173.05(f). The following examples are proper claims: “The product produced by the method of claim 1” and “A method of producing ethanol comprising contacting amylose with the culture of claim 1 under the following conditions”
Id.

Claims 25-26, 52-53, and 56-68 merely follow a claim form analogous to the cited MPEP examples. The fact that the independent and dependent claims are in different statutory classes does not, in itself, render the latter improper. MPEP 608.01(n).

III. Rejections based on the art.

Claims 1-7, 12-13, 16-26, 56-61, and 107 were rejected under 35 U.S.C. §103(a) as obvious in view of U.S. Patent 6,060,136 to Patrick¹ combined with U.S. Patent 5,407,708 to Lovin.

¹ Patrick ‘136 corresponds to International Patent Application Publication WO 97/28964, which published on August 14, 1997.

As the previous Office action points out, Patrick fails to teach an electron-beam cured ink, as recited in claim 1. (Office action mailed February 21, 2008 at page 4, line 3.)

To supplement this shortcoming with respect to electron-beam cured ink, the recent Office action cited Lovin. (*Id.* at page 4, line 4.)

In response, Applicants respectfully traverse the obviousness rejections by directing the Examiner's attention to the enclosed Second Declaration of Milton Bowen, which presents comparative testing data to establish objective evidence of non-obviousness.

As discussed in the Declaration, Examples 1-6 (five samples each) were made according to embodiments of the invention as presently claimed using three different types of antifog films (AF Films 1-3) printed with two different types of electron-beam cured inks (EB 1 and EB 2). Comparison films Samples 1-6 (three samples each) were also made using the same three types of antifog films, but were printed with solvent-based inks (Ink 1 and Ink 2) rather than electron-beam curable inks.

Each of the Examples 1-6 and the Samples 1-6 were subjected to conditions simulating storage of the printed films in roll form, which is the believed cause of "ghosting" (explained in the Application, page 2, lines 4-19), then exposed to moisture-condensate conditions. (*See Declaration, page 3.*)

The comparative Samples 1-6 demonstrated significantly deteriorated antifog characteristics, as shown by the Antifog Ratings of from 1.9 to 3.9. However, the Examples 1-6, made according to embodiments of the present invention, had Antifog Ratings ranging from 4.4 to 4.8. (*See Declaration; Table 1.*) Milt Bowen believes that these Antifog Rating results for Examples 1-6 showed the lack of any significant deterioration of the antifog characteristic and established a surprising and unexpectedly good performance. (*Declaration at page 5.*)

IV. Conclusion

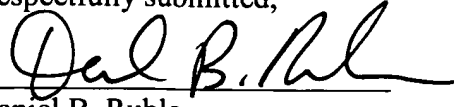
In view of the Second Declaration of Milton Bowen and these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel B. Ruble", written over a horizontal line.

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